



TOWN OF WEARE
PLANNING BOARD
ZONING BOARD OF ADJUSTMENT
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Naomi L. Bolton
Land Use Coordinator

Office Hours:
Monday
Tuesday
Wednesday
8 AM – 4:30 PM

**PLANNING BOARD
MINUTES
MAY 13, 2004
(Approved as written 10/28/04)**

PRESENT: Paul Morin, Chairman; Brad Macauley, Secretary; Ed Piscopo;
Frank Bolton, Alternate; Naomi Bolton, Land Use Coordinator.

GUESTS: Lisa Deyermond; Robert Deyermond; Michael K. Melcher; Ginette Morin; Robert Morin; Randy Beliveau; Marcia Saulnier; Jim Saulnier; Harold J. MacWilliams; Rita C. MacWilliams; Donald Duval; Ginger Esenwine; Forrest Esenwine; Jeffrey Dimario; Dave Giardina; Bob Bailey; Wayne Larsen; Conroy Antle; Rob Howard; Troy & Linda Fields; Christian Winslow; Dennis Redman; John Calfield; Elmer Florentino; Kim Florentino; Jacques Belanger.

I. CALL TO ORDER:

Chairman Paul Morin called this meeting to order at 6:50 PM at the Weare Town Office Building.

II. REVIEW MAIL & MINUTES:

LETTER FROM PWA: Gordon Russell, Piscataquog Watershed Association sent a letter to the board regarding the naming of the Oak Brook Golf Course.

LOUDON & LONDONDERRY: Both the Town of Loudon and the Town of Londonderry sent notices for hearings for cell towers to be held in both of those Towns.

JUNE 7TH MEETING WITH BOS AND BOFW: Naomi informed the Board that the Board of Selectmen would like to have the Planning Board present at 7:00 PM on Monday, June 7th to discuss the removal of a stonewall on Oak Ridge Road for access to a building lot. The board was also previously scheduled to meet with the Board of Firewards that night to discuss fire suppression rules. Naomi further check with Sue Tuthill at the Fire Department and she said she would put the Planning Board on for the July 12th meeting. The Planning Board members present stated that they could meet with the Board of Selectmen at 7:00 PM and then go over to the BOFW after that, having to be out only one night instead of two.

Chairman Morin appointed Frank Bolton to sit in place of Bill Weber for tonight's meeting as a voting member.

III. PUBLIC HEARINGS:

MICHAEL MELCHER-CONCEPTUAL HEARING, BUCKLEY ROAD & SHADY HILL ROAD: Chairman Morin opened this hearing at 7:00 PM. Mike Melcher was present. Mr. Melcher explained that when this 11 acre lot was created in 1985 there is a note on the plan in the front of the property on Shady Hill Road that indicated that the front portion of the lot was to unbuildable. The agreement was made between the Planning Board and the Conservation Commission that the portion of the lot fronting Shady Hill Road was to be unbuildable. Mr. Melcher stated that he would like to have the restriction removed and allow him the ability to build a home fronting Shady Hill Road abiding by the current wetlands setbacks. The consensus of the board was that if Mr. Melcher came in with a map showing some typography demonstrating that it is practicable to use the dry portions conforming to today's standards this board could consider it. Chairman Morin reminded Mr. Melcher that this conceptual is non-binding but if some sort of proof could be offered that would indicate that the area is buildable it could be looked at. The board cautioned about triggering a cistern with a subdivision. Chairman Morin closed this hearing at 7:13 PM.

ALL SEASONS CAMPGROUND-REQUEST TO CHANGE CONDOMINIUM DOCUMENTS: Rob Howard, attorney from Henniker was here representing the Board of Directors for All Seasons Campground. Mr. Howard stated that the reason for being here tonight is that the current Board of Directors for the All Seasons Campground has put together some proposed changes to the Condominium Documents. Mr. Howard further added that the Board of Directors wanted to make further corrections to the documents for discussion of this evening. On page #3, Mr. Howard stated that at this point in time he would like to leave the Town of Weare involved to start a track record. One proposed change is to allow owners to inspect or repair check on their property during the March and November, during the hours of 12:00 Noon and 6:00 PM of any given day. A second proposed change was to allow owners weekend use in March and November, beginning Friday after noon and must be out by 6:00 PM on Sundays. A third proposed change is to allow the owners a long weekend on both Veterans Day and Thanksgiving Day. The thought was for Veteran's Day weekend, after 12 Noon on Friday and be out by Monday at 6:00 PM. For Thanksgiving, the proposal was to allow owners to stay from 12:00 Noon on Wednesday before Thanksgiving and be out by 6:00 PM on the Sunday after Thanksgiving. Chairman Morin stated that at this point he would like to allow the public a chance to speak. Chairman Morin asked that everyone to be courteous and orderly and that all the comments and questions need to be done through the Chairman.

Dennis Redman, resident and owner of two units up there, stated that he doesn't think that the Police Department has time to patrol this. He agreed that something has to be done, but he is not sure exactly what.

Bob Bailey, resident and board of director, stated that the new Board of Directors has made some drastic changes approximately three (3) years ago. They have changed the image of the campground and are vigorously enforcing the rules.

Tim Deyermond, abutter and resident of Hodgdon Road, asked if the board members have been up to that. He has only been a resident of 2 years and will let the board be trusted to make the judgement. His concern is that it doesn't expand from what is there today. He felt that the Town of Weare should be involved. He doesn't want to see his property value decrease.

Troy Fields, property owner in the campground, stated that he pays taxes and he doesn't want his property to devalue either.

Lisa Deyermond, abutter and resident of Hodgdon Road stated that she is concerned with the 4th of July fireworks that were shot off into the field area. She stated that she felt it would be very difficult if the field was to catch on fire for the Fire Department to get there.

Forrest Esenwine, town resident, stated that this area has been festering for years, before when it was a campground, now a condominium it has always been there some problems. The Board of Directors has tried to make changes, but the problems never seem to end. He felt that the Town is correct and if leaving the two months out of the year is such a hardship when it is not your normal place of residence, when is it going to end?

Christian Winslow, owner of 2 units, stated that he has problems with a few of the board members. He thinks that it should stay the same way and possibly have the Town of Weare take over and open it 12 months. He has a problem with the method that is currently being run by.

Wayne Larsen, Board of Director member, the lot has 100 acres and the 130 units sits on about 25 acres. They are trying to get rid of the "low life's" and "riff raff". They would like to use their property during Thanksgiving.

Roseane Giardina, property owner, stated that she bought her property up there 5 years ago, not knowing right up front that she couldn't access the property two months out of the year. She is in support of the changes.

Jeff Dimio, lot owner, stated that he is in support of the changes, due to his time period of finding a branch through the roof on 10/31 and had only 4 hours to make the repair. The police department used to allow sign in's through the them, for a very short time, but that was stopped right.

Dave Giardina, Board of Directors and owner, stated that he is in favor of the proposed changes.

Chairman Morin informed all those present that there will be no decision by the board tonight because a couple of Board of Selectmen members were not available. Also, without the Police Department weighing in in person, is hard to get their side.

Brenda Lashway, citizens, of Town, stated that she remembered the rationale for the closing during March and November has to do with mud season and asked the board to look into it.

David Giardina, stated that if you have a camper at Cold Springs then you have a right to go to your camper year round.

Roseanne Giardina, asked the board if the Town could ask the Police for their help.

Christian Winslow stated that the prejudices that go on up there should not be considered.

Dennis Redman, informed the board that as a resident and an owner at All Seasons, the tax rate is the same for the campers as they are for homes.

Chairman Morin asked Naomi to send a memo to the Police Department stating that this board would like to hear first hand in person from the police department to address their input on these changes.

Ed Piscopo asked, if the Condominium Association is all in favor of this. Mr. Piscopo asked if CO's are issued by the Town Building Department when a trailer gets placed on a lot. The Board of Directors stated that the units themselves are not issued a CO to each unit. It has to be approved by a building committee in the association. Taxes are probably done proportionally based on what you have there. He agreed that you should be able to check on the property, but giving 12 months access might open more of a mess. He agreed that if they were to disallow subleasing or renting could resolve a lot of problems.

Frank Bolton stated that he doesn't know if it is appropriate, but we have gone from a campground to a condominium, but it may seem like down the road it could become a year round residence. Mr. Bolton wondered if there could be some agreements made with regard to future development to protect. Something like this could possibly progress to something larger.

Chairman Morin moved to continue the meeting to the second Thursday, June 10, 2004, Brad Macauley seconded the motion, all in favor. Chairman Morin then closed the hearing at 8:36 PM.

Frank Bolton stepped down for the next hearing, as he is an abutter.

MT. WILLIAM, INC.-SUBDIVISION (CONTINUED HEARING), RIVER ROAD, TAX MAP 409-004: Opened this hearing at 8:37 PM. Mike Dahlberg, LLS was present for this hearing. Mr. Dahlberg explained the purpose of the plan is to create a Town road and two new commercial lots. After meeting with Mr. Bolton and Carl Knapp the road location was changed to make it a safer intersection. The board then discussed the possibility of increasing the frontage of lot #2 and squaring up the lot in an effort to keep away from the wetlands. Abutter, Frank Bolton asked Mr. Dahlberg to show the existing lots before the lot line adjustment and subdivision. It was a little confusing to understand the distinction between the two. Chairman Morin then closed the public portion of the hearing. The following items are outstanding:

- show proposed well radius on new lot
- dig test pit for septic on new lot
- add note that it is not in current use
- BOFW comments
- minor revisions with Jim Donision

Chairman Morin moved to deny the waiver request to waive the septic and well location for the new lot and the reason being that any well and septic location would have to be shown on a future site plan of this lot as it is commercial, Brad Macauley seconded the motion. A vote was taken: 2 in favor (Morin, Macauley) and 1 against (Piscopo). The board stated that they would like Mr. Dahlberg to encourage the owner to straighten out the lot line to allow the future development to stay away from the wetlands. Chairman Morin moved to continue to June 10, 2004, Brad Macauley seconded the motion, all in favor. Chairman Morin closed this hearing at 9:12 PM.

CONRAY & CHRISTINE ANTLE & ELMER & KIM FLORENTINO-CONDOMINIUM, 85 EAST ROAD, TAX MAP 203-064: Chairman Morin opened this hearing at 9:13 PM. Art Siciliano, LLS was present. Mr. Antle and Mr. & Mrs. Florentino were also present for this hearing. Mr. Siciliano explained the purpose of this plan is take the existing duplex and make it into a condominium. Chairman Morin asked about condominium documents. Mr. Siciliano turned to Mr. Antle who responded that they are having Mr. Howard work on them. Comments from the Conservation Commission and Board of Firewards will be needed. Chairman Morin moved to accept the application as complete, Brad Macauley seconded the motion, all in favor. Chairman Morin moved to continue this hearing to June 10, 2004, Brad Macauley seconded the motion, all in favor. Chairman Morin closed this hearing at 9:22 PM.

Frank Bolton retained his seat on the board. Chairman Morin stated that for the record he has no conflict with the next hearing at this time.

ROBERT & GINETTE MORIN-SUBDIVISION, 90 BUXTON SCHOOL ROAD, TAX MAP 411-327: Chairman Morin opened this hearing at 9:23 PM. Don Duval, LLS was present. Mr. & Mrs. Morin were present as well as abutters,

Forrest and Ginger Esenwine, Mr. & Mrs. Maddox and Brenda Lashway. The abutters that were present didn't have an issue with this proposal. A waiver request was turned in for the 5' contours to be shown on the remainder of the existing lot. Brad Macauley moved to accept the waiver, Ed Piscopo seconded the motion, all in favor. The following items are outstanding:

- abutter corrections (names and addresses)
- label setback distances
- well radius to be shown on the developed lot
- a note stating that this over an aquifer
- a letter from the surveyor stating that all monuments will be set promptly
- map lot numbers to be swapped
- a note stating the land is or is not in current use

Don Duval asked Naomi to fax over the abutter changes as well as the outstanding items to him on Monday morning. Chairman Morin moved to continue this hearing to June 10, 2004, Brad Macauley seconded the motion, all in favor. Chairman Morin closed this hearing at 9:45 PM.

ROSEDALE CONTRACTING, INC. & RICHARD & ALEXANDRA HAMELLA & SUB, HODGDON ROAD, TAX MAP 407-86, 407-86.1 & 87: Chairman Morin opened this hearing at 9:46 PM. Jacques Belanger, LLS was present. Chairman Morin reminded the board how this plan got back in front of the board. The problem is that the previous surveyor which the plan was approved by was not a licensed state surveyor. Mr. Remillard then hired Mr. Belanger to complete the work to get the plan sent to the registry. In verifying the previous work there appeared to be some differences in measurements which this plan resolves. Chairman Morin moved to accept and approve this plan for the purpose of recording the plan at the registry of deeds, Brad Macauley seconded the motion, all in favor. Chairman Morin closed this hearing at 9:59 PM

RANDY BELIVEAU (UNIVERSAL STEEL ERECTORS)-SITE PLAN REVIEW, 149 RESERVOIR DRIVE, TAX MAP 201-112.007: Chairman Morin opened this hearing at 10:00 PM. Randy Beliveau, owner was present. Mr. Beliveau explained that the purpose of this site plan is to add storage area to get some of his equipment in out of the weather. The board talked about the existing tank for floor drain, which has to be relocated when the new building goes in. The board asked if the tank has to be outside of the well radius. Mr. Beliveau stated that it always has been out of the well radius and will be relocated in a way to be out of the radius. Mr. Beliveau stated that the tank has an alarm on it so if the alarm goes off it is time to pump the tank. Chairman Morin asked what the tank catches. Mr. Beliveau stated that it is a 2,000 gallon tank he has never had to have it pumped out since he took over the building about three years ago. It catches waste water, like snow that might melt off the equipment when it comes into the building. Any steam cleaning is done outside of the building. Chairman Morin stated that he would like to see the new location shown on the plan and you say that you have never had it pumped, can you verify the fact that it is even holding anything. Mr. Beliveau stated that the cover is only two feet down. Mr.

Beliveau again stated that they don't wash anything inside and if they have an oil spill they clean it up with speedy dry and put it in the trash. The following items are outstanding:

- add one light symbol and label to new building on the plan
- comments from Board of Firewards and Conservation Commission
- show position of new location of tank on the plan

Chairman Morin moved to continue this hearing to June 10, 2204, Brad Macauley seconded the motion, all in favor. Chairman Morin closed this hearing at 10:20 PM.

ESTATE OF CHARLES F. CHASE-VOLUNTARY MERGER, WATERMAN ROAD, TAX MAP 101-055 & 101-056: Naomi explained to the board that this merger is to combine two lots into one. These properties are located off of Waterman Road and when combined together the total acreage is 0.09 acres. Brad Macauley moved to approve the voluntary merger as requested, Chairman Morin seconded the motion, all in favor.

GLENN A. PRICE-VOLUNTARY MERGER, PONDVIEW ROAD, TAX MAP 108-007 & 108-008: Naomi explained to the board that this merger is to combine two lots into one. The two properties are located off of Pondview Road. One of the lots currently has a home on it and when combined together the total area of the new lot will be 0.73 acres. Ed Piscopo moved to approve the voluntary merger as requested, Brad Macauley seconded the motion, all in favor.

IV. OTHER BUSINESS:

COMMUNITY PROFILE: Chairman Morin informed the board that on May 7th and 8th the community profile was held at John Stark High School. Everything appeared to be very successful. Five committees were formulated to continue that will hopefully mesh into the five study groups that this board will be working on. One of the groups created was to develop a long term growth management ordinance which will be meeting on an on-going basis.

V. ADJOURNMENT:

As there was no further business to come before the board, Chairman Morin moved to adjourn at 10:35 PM, Brad Macauley seconded the motion, all in favor.

Respectfully submitted,

Naomi L. Bolton
Land Use Coordinator